IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY EIGHTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 5279 of 2005

Between:

B.V.Bhaskar Reddy, S/o.B.Narasimha Reddy,
Lingareddi St., Proddutoor Town and Mandal, Kadapa District.

... PETITIONER

AND

1 The District Collector, Kadapa
2 The District Level Committee, Sand Transportations, rep.by its Chairman cum The Zilla Parishad Chairman Kadapa, Kadapa District.
3 The Joint Collector, Kadapa.
4 The District Panchayat officer, Kadapa.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ of Mandamus declaring the action of the first respondent in not confirming the tender in respect of Adinimmayapalli sand quarry of vallur Mandal to the petitioner as he happened to be the highest bid tender of sealed tenders as unjust, arbitrary and further direct the first respondent to issue the confirmation order as was done in the case of other contractors in respect of Ramannapalli and Takkolu as per the Tender conditions and the notification.

Counsel for the Petitioner: MR.K.G.KRISHNA MURTHY

Counsel for the Respondents: GP FOR PANCHAYAT RAJ & RURAL DEV.

The Court at the stage of admission made the following:

ORDER:

This writ petition is filed aggrieved by the alleged action of the first respondent-District Collector in not confirming the tender in respect of Adnimmayappli Sand Quarry in favour of the petitioner.

When the matter is taken up for consideration, the learned Government Pleader for Panchayat Raj, under instructions, states that by proceedings dated 21-03-2005 issued by the Collector and District Magistrate, Kadapa, the tender in favour of the petitioner has been confirmed and the necessary orders have already been issued. However, the learned counsel for the petitioner states that under the said proceedings the Collector has erroneously restricted the lease only in respect of upstream side in Penna river bed to a distance of two kilometers.

In the circumstances the writ petition is disposed of granting leave and liberty to the petitioner to challenge the proceedings dated 21-03-2005, if he is so advised.

The Writ Petition is accordingly disposed of. No order as to costs.

G. ROHINI, J

Dated: 28-03-2005

LSK

ASSISTANT REGISTRAR

To

1 The District Collector, Kadapa
2 The Chairman, District Level Committee, Sand Transportations,
Kadapa District.
3 The Joint Collector, Kadapa.
4 The District Panchayat Officer, Kadapa.

5 Two C.Cs. to the G.P. for Panchayat Raj, High Court Buildings, Hyderabad.
(OUT)

6 Two C.D. copies.